

energy and water bill, that I hope we can work something out on his issue, an issue that bothers some States on his side of the aisle, while on my side of the aisle, the Missouri Senators and the Mississippi Senators and others, have a different view. There is an amendment to this energy and water bill that attempts to solve that problem by not letting some amendments proceed with reference to a Corps of Engineers manual.

If this bill does not become law by October 1, I want to talk about a couple of things that will really be bad for some States, and certainly for my State will not be good.

In Pantex, TX, there are 2,800 employees; there are 7,300 at the Sandia National Laboratory; there are 3,000 in the Kansas City nuclear weapons plant. Moving over to water, the Army Corps of Engineers has 125,000 workers on 1,400 projects.

This is an important bill. I don't want to go up to October 1 and not have a bill and have to say to them that because somebody would not let us bring up our bill—which we could have done, which we could have gotten passed—we are now at October 1 and can't get anything passed. And we are playing a game of who did what to whom. Who keeps the Government open? Who closes it? We could have had this completed. We could have been in conference this weekend and be back from the convention with it finished. It could then go to the President and be signed. I don't go beyond just asking that the problem be eliminated.

I take Senator DASCHLE at his word. There is nothing to this other than he is concerned about protecting a couple of States. I am concerned about a couple of other States or more. I am concerned about keeping in law what has been in the law for at least two previous years.

I again thank the distinguished Senator from Utah for his comments.

I want to respond for a moment to a very good friend of mine from the other side of the aisle. I consider him a friend. For the most part, we run into each other on dairy issues. People do not know that New Mexico is a big dairy State. But clearly, the distinguished Senator, Mr. FEINGOLD, comes from a State with a lot of dairy cows. We frequently are on each other's side, or against each other, principally because that is a farming issue. But today, in some brief remarks, Senator FEINGOLD took his farming issues, and instead of being concerned about his State, got over into my State and into an issue that involves thousands of farmers in New Mexico.

The issue is that thousands of farmers in New Mexico are on a river that runs short of water in dry years. We are growing into a confrontation as to who owns the flow of the river in a dry year, and a silver minnow, which has

been declared an endangered species, which they think currently resides in the extreme southern regions of the river close to the Texas border. Thousands of farmers use it to irrigate small and medium-sized farms, and there are a few large ones.

I hope, if the Senator's constituents, as he said, are concerned about this, they are concerned about the entire problem—the problem of cities that own water in a dry river basin, and the river basin is not always totally moist and running with water. What about the thousands of farmers who under our State law own the water? I think if he clearly understood that, he would say: I choose not to interfere in a contest between the minnows and thousands of farmers and maybe two cities or more. And maybe he would say: I wouldn't like Senator DOMENICI getting involved in that if that were my State situation. Though he is entitled to and can certainly come down here and do that, I hope maybe before doing it—or maybe even now—he would talk with us about the issue, which is a very interesting issue.

For the last 2½ weeks, I have been constantly in touch with the Secretary of Interior seeing what we could do to try to work this issue out. I have put on this energy and water bill something so that water will not be governed totally by a Solicitor General's opinion.

That is the issue. I contend it shouldn't be. We might be able to work that out soon because there are some very serious problems involved that ought to be worked out.

I thank Senator FEINGOLD for his consideration of issues that might affect my State. I think I have been concerned with his. I would truly like to talk to him about this subject because I don't believe it is as simple an issue as perhaps some of his endangered species constituents indicate in their request to him that he get involved in the issue of thousands of farmers in the State of New Mexico and whether they get water.

ORDER OF PROCEDURE

Mr. DOMENICI. Mr. President, I ask unanimous consent that following the 3:15 p.m. vote, Senator HELMS be recognized as if in morning business for up to 20 minutes, to be followed by Senator BRYAN for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, Senator DORGAN requested time. We would be happy to have Senator DORGAN go after Senator BRYAN. If there is a Republican who wishes to speak, we would be happy to insert that between Senators BRYAN and DORGAN. I ask unanimous consent that Senator DORGAN be recognized after Senators HELMS and BRYAN, and a Republican, if the majority wish-

es to have a speaker in there. Senator DORGAN wishes to speak for up to 40 minutes.

Mr. DOMENICI. Mr. President, I agree. I ask unanimous consent that each of the Republicans he has alluded to, if they desire to, be able to speak for up to 40 minutes. I don't think they will.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001—CONFERENCE REPORT—Continued

Mr. REID. Mr. President, I ask for the yeas and nays on the conference report, Department of Defense appropriations.

The PRESIDING OFFICER (Mr. L. CHAFFEE). Is there a sufficient second?

There is a sufficient second.

(The yeas and nays were ordered.)

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the clerk will report the conference report.

The assistant legislative clerk read as follows:

Conference report to accompany H.R. 4576, making appropriations for the Department of Defense for fiscal year ending September 30, 2001, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the conference report. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 9, as follows:

[Rollcall Vote No. 230 Leg.]

YEAS—91

Abraham	Craig	Hutchinson
Akaka	Crapo	Hutchison
Ashcroft	Daschle	Inhofe
Baucus	DeWine	Inouye
Bayh	Dodd	Jeffords
Bennett	Domenici	Johnson
Biden	Dorgan	Kennedy
Bingaman	Durbin	Kerrey
Bond	Edwards	Kerry
Breaux	Feinstein	Kohl
Brownback	Fitzgerald	Kyl
Bryan	Frist	Landrieu
Bunning	Gorton	Lautenberg
Burns	Graham	Leahy
Byrd	Grams	Levin
Campbell	Grassley	Lieberman
Chafee, L.	Gregg	Lincoln
Cleland	Harkin	Lott
Cochran	Hatch	Lugar
Collins	Helms	Mack
Conrad	Hollings	McConnell

Mikulski	Rockefeller	Specter
Miller	Roth	Stevens
Moynihan	Santorum	Thomas
Murkowski	Sarbanes	Thompson
Murray	Schumer	Thurmond
Nickles	Sessions	Torricelli
Reed	Shelby	Warner
Reid	Smith (NH)	Wyden
Robb	Smith (OR)	
Roberts	Snowe	

NAYS—9

Allard	Feingold	McCain
Boxer	Graham	Voinovich
Enzi	Hagel	Wellstone

The conference report was agreed to.

CHANGE OF VOTE

Mr. SESSIONS. Mr. President, on rollcall vote 230, I voted no. It was my intention to vote yea. Therefore, I ask unanimous consent that I be permitted to change my vote since it will in no way change the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

Mr. STEVENS. I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. LOTT. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the Senate immediately adopt the motion to proceed to H.R. 4733 and the cloture vote regarding the China PNTR immediately occur, and if cloture is invoked, the 30 hours postcloture not begin until the Senate resumes the motion in September.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

Mr. LOTT. I further ask unanimous consent that notwithstanding rule XXII, at 6 p.m. on Tuesday, September 5, 2000, the Senate temporarily lay aside the China PNTR motion to proceed and begin consideration of the energy and water appropriations bill, and the consideration of these two measures continue throughout the week of September 4, 2000.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I ask unanimous consent that just prior to the vote, the following Senators be recognized for the following times: BAUCUS for 5 minutes, HOLLINGS for 5 minutes, MOYNIHAN for 5 minutes, and ROTH for 5 minutes.

I further ask unanimous consent that the allotted morning business times ordered earlier today commence immediately following the rollcall vote, and the yet designated Republican slot be allocated to Senator BOB SMITH for up to 40 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Let me explain, if I could, what just occurred.

We will have 15 to 20 minutes of time now that will be used for Senators to speak, those I just mentioned. That will be followed by the vote on the China PNTR motion to proceed. Then there will be a period of morning business time to follow that.

When we return in September, we will go during the day to the China PNTR debate. That will be laid aside at 6 o'clock, and we will do the energy and water appropriations bill. This is classically described as a double tracking. We will be doing the appropriations bill at night. I hope it won't take but a couple nights. It may take three. During the day, we will be debating the China PNTR.

I have assured Senators on both sides of the aisle that we are not going to shove this through. Senators who need time, Senators who want to offer amendments on the China trade bill are going to have the opportunity to do that. I think that is the right way to do it. We are not going to do it in the wee hours of the night. We are going to do it in the day. This is a major international trade agreement, and it needs to be done carefully and with thought. The Senate has a long tradition of acting carefully and with dignity when it comes to important matters of this nature. That is the way we are going to treat it when we return. There will be no rush to judgment, but I do think the responsible thing to do is to begin to make progress toward an eventual judgment.

I thank my colleagues, Senator DASCHLE and Senator BYRD, Senator HOLLINGS, Senator WELLSTONE and all, for their cooperation on this.

I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I thank the majority leader for announcing this arrangement. I thank my colleagues for their cooperation on this complicated but very understandable schedule. The majority leader has announced there will not be any cloture motions filed or any rush to judgment on this issue. People will have the opportunity to offer amendments. I will work with our colleagues to assure they have that opportunity throughout the week, for whatever length of time it may take. I do hope perhaps we might be able to reach some agreement on time for these amendments, and my colleagues have assured me they are not averse to considering a time factor as we consider the order of these amendments.

As I understand it, that would then accommodate the opportunity for us to vote this afternoon. I would be interested if the majority leader could comment on when that vote might take place.

Mr. LOTT. If the Senator will yield, that is correct. I indicated there would be 15 or 20 minutes of statements by

the four Senators who were identified before that vote. So I expect this vote will occur at approximately 4:30.

Mr. REID. If the Senator will yield, we have one Member who has to go to a funeral. The latest the plane leaves is at 4:30. I am wondering, under the unanimous consent that has already been entered, we have the four, and Senator WELLSTONE wishes to speak. Could we do it immediately after the vote? I am doing that for one of the Senators.

Mr. LOTT. We certainly can have time for statements after the vote. Even if the time that was included in the agreement was used, it would only be 20 minutes. We would be ready to begin voting at 4:15 or 4:20. We will have morning business time or we can arrange for Senators who wish to speak to speak right after the vote. I would be glad to accommodate that.

Mr. REID. May we add Senator WELLSTONE to that so there will be 25 minutes after the vote?

Mr. LOTT. The Senator is talking about having all of the statements made after the vote instead of before the vote.

Mr. REID. Otherwise people are missing airplanes.

Mr. LOTT. I have no objection to that, but part of the agreement was that these four would speak before the vote.

Let me suggest this: In view of the request that has been made, Mr. President, I will ask an additional unanimous consent request, if Senator DASCHLE will yield me the time to do this. I ask unanimous consent, of those Senators who wish to speak immediately before the vote, that they agree to speak immediately after the vote in the order that we read them, 5 minutes each, and that be followed by Senator HELMS for 5 minutes and Senator WELLSTONE for 5 minutes.

Mr. BYRD. Mr. President, reserving the right to object, what was in the agreement that was entered into?

Mr. LOTT. The agreement with regard to the vote this afternoon was that we would have the vote after statements by Senator BAUCUS, Senator HOLLINGS, Senator MOYNIHAN, and Senator ROTH for 5 minutes each. Then we would go to the vote. I have now asked unanimous consent to amend that to add that the speeches be made immediately following the vote and to include Senator HELMS and Senator WELLSTONE for 5 minutes. Those speeches would occur immediately following the vote.

Mr. FEINGOLD. Will the majority leader yield for a question?

Mr. LOTT. I am glad to yield to Senator FEINGOLD.

Mr. FEINGOLD. I want to clarify one point. What I understood from our agreement, what I believe was said was that there would be no cloture motion filed during the first week we are back on China PNTR; is that correct?